

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : CRIMINAL ACTION
: :
v. : :
: :
WILLIAM JONES : NO. 00-660-1

ORDER

AND NOW, this 28th day of January, 2020 it is hereby
ORDERED that:

(1) The motion of defendant William Jones "for
dismissal of counts 6 and 7 section 922(g) for the courts lack
of jurisdiction in light of Rahaif v. United States, 139 S. Ct.
2191 C 2019" (Doc. # 323) is DISMISSED without prejudice.

(2) The motion of defendant William Jones "for
appointment of appeal counsel" (Doc. # 325) is DISMISSED without
prejudice.

(3) The motion of defendant William Jones "for
appointment of counsel to represent petitioner's 18:922(g)
motion to vacate/dismiss counts 6 and 7 of the indictment before
the court and on appeal" (Doc. # 327) is DISMISSED without
prejudice.

(4) The motion of defendant William Jones "to
withdraw Mr. Joseph, Esq. and appoint new appeal counsel in
light of rule 44(a) and dismissals of counts one and three, six
and seven" (Doc. # 332) is DISMISSED without prejudice.

(5) The motion of defendant William Jones "for the withdrawal of attorney Mr. Arnold C. Joseph, Esq. and the appointment of new counsel, for practical appeal of counts '1' and '3' of the indictment" (Doc. # 333) is DISMISSED without prejudice.

On December 11, 2019, this Court entered an Amended Judgment in which it reduced the sentence of imprisonment of defendant William Jones to 268 months (Doc. # 321). On December 16, 2019, defendant filed a motion for dismissal of certain counts (Doc. # 323). On December 17, 2019, defendant filed a notice of appeal related to the Amended Judgment (Doc. # 324). Thereafter, defendant filed the remaining motions stated above. This Court no longer has jurisdiction over the above motions. "[T]he timely filing of a notice of appeal is an event of jurisdictional significance, immediately conferring jurisdiction on a Court of Appeals and divesting a district court of its control over those aspects of the case involved in appeal." Venen v. Sweet, 758 F.2d 117, 120 (3d Cir. 1985). Accordingly, the above motions are being dismissed without prejudice.

BY THE COURT:

/s/ Harvey Bartle III

J.